
By: **Delegates Glassman, James, Riley, Cadden, Bobo, McKee, Shank,
Sophocleus, Parrott, Stull, and Conroy**

Introduced and read first time: February 2, 2001

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Municipal Corporations - Transfer of Development Rights - Agriculturally**
3 **Zoned Land**

4 FOR the purpose of requiring a municipal corporation to establish a transfer of
5 development rights program when reclassifying as residential land annexed
6 agriculturally zoned land under certain circumstances; providing for the scope of
7 the transfer of development rights program; providing certain requirements for
8 the purchase of the transfer of development rights; authorizing a certain
9 payment to satisfy certain provisions; providing for the development right value
10 of a certain payment; and generally relating to requiring a municipal
11 corporation to establish a transfer of development rights program.

12 BY repealing and reenacting, with amendments,
13 Article 66B - Land Use
14 Section 11.01
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 2000 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article 66B - Land Use**

20 11.01.

21 (A) A local legislative body that exercises authority granted by this article may
22 establish a program for the transfer of development rights to:

23 (1) Encourage the preservation of natural resources; and

24 (2) Facilitate orderly growth and development in the State.

25 (B) (1) WHEN A LEGISLATIVE BODY OF A MUNICIPAL CORPORATION
26 RECLASSIFIES AS RESIDENTIAL LAND ANNEXED AGRICULTURALLY ZONED LAND
27 THAT IS OUTSIDE OF THE COUNTY'S DESIGNATED GROWTH AREA, THE LOCAL

1 LEGISLATIVE BODY SHALL ESTABLISH A PROGRAM FOR THE TRANSFER OF
2 DEVELOPMENT RIGHTS.

3 (2) THE PROGRAM FOR THE TRANSFER OF DEVELOPMENT RIGHTS
4 SHALL REQUIRE THAT 50% OF THE INCREASED DENSITY OF THE ANNEXED
5 AGRICULTURALLY ZONED LAND THAT IS RECLASSIFIED AS RESIDENTIAL LAND
6 SHALL BE PURCHASED BY A TRANSFER OF DEVELOPMENT RIGHTS FROM OUTSIDE
7 OF THE DESIGNATED GROWTH AREA OF THE COUNTY IN WHICH THE MUNICIPAL
8 CORPORATION IS LOCATED.

9 (3) (I) TO SATISFY THE PROVISIONS OF THE TRANSFER OF
10 DEVELOPMENT RIGHTS PROGRAM, THE LOCAL LEGISLATIVE BODY OF THE
11 MUNICIPAL CORPORATION MAY MAKE A PAYMENT TO THE COUNTY'S AGRICULTURAL
12 PRESERVATION PROGRAM.

13 (II) THE DEVELOPMENT RIGHT VALUE OF THE PAYMENT TO THE
14 COUNTY'S AGRICULTURAL PRESERVATION PROGRAM SHALL BE BASED ON THE
15 AVERAGE COST PAID BY THE MARYLAND AGRICULTURAL LAND PRESERVATION
16 FOUNDATION FOR DEVELOPMENT RIGHTS FOR THE PRIOR FISCAL YEAR.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2001.